

COMMITTEE ON LANDS AND BUILDINGS

February 19, 2002

6:00 PM

Chairman Thibault called the meeting to order.

The Clerk called the roll.

Present: Aldermen Thibault, Gatsas, Pinard, DeVries, Garrity

Messrs: J. Taylor, B. Thomas, V. Gendron

Chairman Thibault advised that the first purpose of the meeting shall be organizational in nature, and requested the Clerk to provide a brief overview regarding typical issues addressed by the Committee.

Deputy Clerk Johnson stated basically this is the Committee of Lands and Buildings. They typically address issues regarding buildings of the City. The City owns land, it owns tax deed land and land that is being utilized for various City departments. In addition to that, you have the School land, which you are not in charge of until such time as the School turns it back over to you as a non-school use. At that particular point in time it would become something that gets disposed of through this Committee. The Committee will also sometimes hear issues about public maintenance of buildings and primarily the focus has been when people want to, for instance, purchase a parcel of land and they write in and we will bring in reports to this Committee and the Committee will decide whether or not to recommend to the Board to dispose of the property or to keep the property based upon the reports that you receive. I guess at this point we will proceed with the agenda. I would like to note that before the end of the meeting I would like to discuss with you a report that was submitted to members of the Board a while back on properties of the City.

Chairman Thibault addressed Item 4 of the agenda:

Communication from Jay Taylor, Economic Development Director, seeking approval to engage a consultant (not to exceed \$20,000) for the preparation and submission of a Comprehensive Economic Development Strategy utilizing funds from a non-lapsing account of antenna revenues set aside for use in the development of the Hackett Hill Business Park.

Alderman Pinard moved to approve the request. Alderman Gatsas duly seconded the motion for discussion.

Mr. Taylor stated for those of you who don't understand acronyms, the acronym CED stands for Community Economic Development Strategy. Essentially what that is is a program put forward by the Economic Development Administration of the US Department of Commerce. EDA has provided us in the past with some grant funds. For example, a \$1 million grant that we received for renovating the Chase Block building is an example of that. In order to make the City eligible for receiving EDA funds, the City needs to adopt and enact a CEDS, a Community Economic Development Strategy. Currently, we are not eligible for EDA funding because the eligibility ran out last year. We asked for this money in our FY02 operating budget last year but during the budget process it got knocked out. My reason for asking for this is because currently the Hackett Hill area is eligible potentially for EDA funding for help in developing the infrastructure out there. I think it is important for the City to retain its eligibility for EDA funding and, therefore, this is the request that we put forward to get the consultant to do the CEDS program. The money comes from a non-lapsing account which was set-up last year to receive the antenna revenue, which comes off the water tower on Hackett Hill. That non-lapsing account receives only the antenna revenue. The antenna revenue has to be used for expenses associated with development on Hackett Hill and each time we want to spend money from that account I have to come back to the Board to ask permission. That is the reason for this appearance tonight. Again, I think it is important that we retain our eligibility for EDA funding through the CEDS program and that is the basis of our request.

Chairman Thibault asked what is this money going to be used for.

Mr. Taylor answered it is basically a road map of the City's economic development strategy going forward. There will be an actual plan developed that will show the steps in which the City intends to proceed to create a comprehensive economic development plan and it is a road map that can be used going forward. It has to be updated annually once we get it into effect. It is a working document and one that the City can follow and can be used as we go along.

Alderman Gatsas stated didn't I hear that the Chestnut...the Courthouse Square, weren't they looking to use EDA funding there.

Mr. Taylor replied I don't believe so. We have used EDA funding in Manchester twice since I have been around. Once was a public works grant to build the Victory Parking garage and the second one was a \$1 million grant to help us renovate the Chase Block. Those are the only two I am aware of.

Alderman Gatsas asked with this grant, is the EDA funding only going to be available to Hackett Hill.

Mr. Taylor answered no. Let me clarify something. What I am asking for is not a grant. It is a plan that makes us eligible for a grant. The answer to your question is we would then be eligible for any EDA funding for which the City would qualify whether it is Hackett Hill or not.

Alderman Gatsas asked how much more money of the \$20,000 is available in that non-lapsing fund.

Mr. Taylor answered it currently has a balance of about \$30,000.

Alderman DeVries asked approximately how long do you anticipate that it takes to send this out and have the eligibility renewed. If this is not done this year, when a project comes along it takes approximately what two or three months to establish EDA?

Mr. Taylor answered in order for us to even hire a consultant...we have already gone out for proposal so we know what this is going to cost and we know which consultant we would hire in the event that the funding is available. I believe the timeframe is three or four months to do the work.

Alderman DeVries stated so it is conceivable that if a project comes along that you know you would like to receive EDA funding for that you could anticipate that four month period and then hire the consultants.

Mr. Taylor replied I guess you could do that. The issue here in terms of Hackett Hill is currently Hackett Hill is one of the few areas in the City that is eligible because of the demographic. The three or four month lag time could be problematic. If we had something we wanted to do now you have to go out and do another RFP and then you have to wait three or four months to get the study done. EDA is going to take a few months to review it so we are talking about a substantial amount of lead-time here that we would have to overcome if we had to do something quickly.

Alderman DeVries asked so other than Hackett Hill there are no other projects on the horizon that you anticipate using this...

Mr. Taylor interjected not at the moment but that doesn't mean that something may come down the pike that we may be able to use it for. Specifically for the moment I am tying this request to Hackett Hill because that is where the funds are available and the funds need to be used for that purpose.

Alderman Garrity asked how much money do you think we will get from the EDA grant if we spend this money.

Mr. Taylor answered I have no idea because we haven't even approached that. This simply makes us eligible to apply for an EDA grant, which we are not eligible for.

Alderman Lopez stated I noticed that the Manchester Development Corporation did this before and they haven't done it since the year 2000-2001.

Mr. Taylor replied this was always done out of our office.

Alderman Lopez asked and it has always been a grant to go out and do something to update something. My point is that if you already have all of these documents and you have indicated about 200 hours of work and four months from Jane, that is 1,900 hours if she is saying four months to do this and to me if you have all of these documents in there it doesn't seem right that you couldn't tinker around with it and come up with a document instead of spending \$20,000.

Mr. Taylor answered if we took the consultant's hourly rate and divided it by the proposed amount that he bid on this project we would be looking at about 200 hours of work. I don't know where I am going to find somebody that can spend 100 hours worth of time doing this kind of an analysis. I don't have the time to do it.

Alderman Lopez replied maybe what we need to do...my point here is every time we have to do something in this City we have to go and get somebody to write a grant and spend \$20,000. We have another request before us tonight for \$50,000 as a full Board to do a study and I will get into that later. To address the issue here, we spent \$25,000 on the senior center and it didn't go anywhere. All of these things just seem to hang around and my own personal opinion is between the Planning Department, MEDO and Bill Jabjiniak, we don't have anybody who is writing anything. We just go out and spend money. I think that is unfortunate when we are paying employees good money in this City. That is just my point of view. I think you are talking about something you already have. You can update the document and send it in.

Mr. Taylor responded I would agree with part of your statement. The problem we have now is the CED is a revamp of that program. It is not the same program that was put into effect that we had updated two or three years previously. Therefore, we are starting from scratch because it is a new process. If given enough time, I would agree that maybe staff could do this assuming that we didn't have anything

else to work on because 200 hours is a substantial amount of time. You can imagine how long that would take if you tried to fit that in with the other work that the staff has to deal with. That is the reason for getting it done by way of a consultant who has done these before and can do it in a minimal amount of time.

Alderman Lopez asked so Bill Jabjiniak hasn't relieved any duties from MEDO.

Mr. Taylor answered Bill is handling the downtown activities and I guess he has his hands full with what he is working on there.

Alderman Lopez asked and you didn't handle any of that before.

Mr. Taylor answered we didn't spend a lot of time on downtown because we didn't have the people to do it. I have one person on my staff.

Alderman Lopez stated my viewpoint is that it ought to be done in-house. We have 14 people in the Planning Department and we have MEDO and I can't believe we don't have enough educated people to come up with a plan. It doesn't make sense.

Alderman Garrity asked does this plan have to be renewed every year.

Mr. Taylor answered yes and it has to be updated. We believe we can...once it is put together we believe we can keep it current without going outside for help but I think initially to get it set-up is why we are asking for the help.

Alderman Garrity asked do you have any plans for the Hackett Hill business park in the next three or four months.

Mr. Taylor answered what we are working towards now is putting French Hall on the market, which is the existing building that is up there. That is the first step recognizing that anything we do up there is going to be expensive and given the current budget situation it doesn't appear that we are going to get any City money in this current fiscal year to do anything. If we can get the building sold, at least that will give us some money to begin to do some things.

Alderman Garrity asked and this plan has to be updated every calendar year and not fiscal year, is that right.

Mr. Taylor answered yes. I think it goes with the Federal fiscal year, which is October to the end of September.

Alderman Garrity stated we have five months into the year. Doesn't it make more sense just to start it in October?

Mr. Taylor replied if we started in October we probably wouldn't get approval until sometime in the late first quarter of 2003 because they are going to take some time to review this after we submit it. If it takes us four months to complete the program and submit it, there is a bunch of lead-time there.

Chairman Thibault called for a vote on the motion to approve the hiring of a consultant to assist in preparing a Comprehensive Economic Development Strategy at a cost not to exceed \$20,000. The motion carried with Aldermen Garrity and DeVries being duly recorded in opposition.

Chairman Thibault addressed Item 5 of the agenda:

Communication from Richard Martel, Deputy Fire Chief, requesting permission to use French Hall and the Brown School to conduct training exercises.

Chairman Thibault noted that French Hall is no longer part of this request.

On motion of Alderman Garrity, duly seconded by Alderman DeVries, it was voted to approve the request to use the Brown School to conduct training exercises for the Fire Department.

Chairman Thibault addressed Item 6 of the agenda:

Communication from Bruce Thomas, Highway Department, regarding a request from Mr. & Mrs. Jeffrey Gendron of 36 Mammoth Road to waive an easement restriction.

Mr. Bruce Thomas stated we have a request from Mr. & Mrs. Gendron of 36 Mammoth Road. The City has a drainage easement through the side lot of their property and what they want to do as you can see on this sketch that I have submitted is put an addition on their building, which will extend about two and a half feet into the easement. The Highway Department feels that it will not affect the maintenance and care of that drain line so we have no objection to the encroachment.

Alderman Pinard moved to approve the request. Alderman Garrity duly seconded the motion.

Alderman Gatsas asked, Mr. Thomas, I assume the City is held harmless if for some reason you must dig up that easement and something happens to the addition or are we taking responsibility.

Mr. Thomas answered the purpose of the easement is to allow the City to enter and maintain its drainage structure. We don't own the property, per say, we just have that permission. I would say no although I am not an attorney. I don't believe that would be the case.

Deputy Clerk Johnson stated we could put it subject to review of the City Solicitor and ask him to review it.

Alderman DeVries asked is this a usual procedure to allow encroachment within the easement.

Mr. Thomas answered I don't think it is typical but two and a half feet for a twenty foot easement is not...we don't consider it a big deal. We don't typically get these but we will take a look at them on an individual basis and in this case we don't think it is a problem. I will say that we have two more coming up and I think they will show up at your next meeting and it is very atypical to have that many.

Alderman DeVries asked will this go through any sort of process through the Planning Board. I just notice on this sketch of the addition that it doesn't show if there will be any entryways or any additional platforms required that would bring further encroachment into the easement.

Mr. Thomas answered I don't believe so.

Alderman DeVries asked will there be any other regulatory agency reviewing this.

Mr. Thomas answered no.

Alderman DeVries asked this is it.

Chairman Thibault asked wouldn't the Building Department be looking at this.

Mr. Thomas answered that is correct. The Building Department will look at it from a building permit perspective but from the easement and drain line perspective, nobody else will look at it.

Alderman DeVries asked do we know if there is a doorway that will be entering into that easement and where it will be located.

Mr. Thomas answered I don't know specifically where the doorway is, however, Ms. Gendron is here.

Ms. Valerie Gendron stated it is just going to be a mudroom off the side of the house. That is all it is. It is 7' x 10'.

Alderman DeVries asked so the encroachment that will occur is what is shown on the plan and there are no additional steps or anything into it.

Ms. Gendron answered no.

Alderman Shea stated I can vouch for the Gendron family. They are an excellent family and have lived in that neighborhood for several years and as their Aldermen I speak highly in favor of their receiving this easement.

On motion of Alderman Pinard, duly seconded by Alderman DeVries, it was voted to approve the request to waive an easement restriction subject to review by the City Solicitor.

Chairman Thibault addressed Item 7 of the agenda:

Communication from CLD Consulting Engineers reflecting a request for a donation of land from the City and including a copy of a subdivision application for the excess right-of-way along Bridge Street on behalf of Trinity High School.

Deputy Clerk Johnson noted that there are two communications enclosed and on one of the communications from the Parks Department they were requesting that the Solicitor be asked to review certain documents and perhaps the Committee may want to refer it to the Solicitor for review with the Parks Department and report back.

Alderman Gatsas moved to refer this item to the City Solicitor. Alderman Pinard duly seconded the motion for discussion.

Chairman Thibault stated I think maybe the Assessors should give us a value on the property so we know where we are at.

Alderman Gatsas asked, Carol, wasn't this before Lands and Buildings once before.

Deputy Clerk Johnson answered it is a discontinuance that you were thinking of.

Alderman Gatsas asked isn't it the same thing.

Deputy Clerk Johnson answered it is part and parcel of the same project that they are working on. It is related but it is not part of the same request. It is a separate request because they are asking for a donation of the land that the City actually owns.

Alderman Gatsas moved to refer this item to the City Solicitor for review and to the Assessor's Office for a valuation and report back to the Committee. Alderman DeVries duly seconded the motion.

Chairman Thibault called for a vote. There being none opposed, the motion carried.

TABLED ITEMS

8. Communication from Lucille Stevens, Chairman of the Concerned Taxpayers of Manchester, NH seeking information regarding the current financial status of a building in the Millyard, which houses the FIRST Program.
(Tabled 8/7/01.)

Chairman Thibault stated at our last meeting some work was done by the Finance Department and I just spoke with them tonight to see if they will send you all the packet to bring you up-to-date on this. We can always discuss it at another meeting if you want. We should just leave this on the table.

Deputy Clerk Johnson noted that there is an item of new business. At the request of Alderman Gatsas at the end of last year, the City Clerk's Office had attempted to get a listing of all of the properties that the City owns and distribute it to all members of the Board, including Lands & Buildings. Within that listing, which the Assessors were kind enough to put together for us, is everything in essence, that is reflected of the City owning, including the School properties, tax deeded properties, properties that perhaps are little pieces of nothing in the middle of nowhere and then there are other properties that are held for a variety of reasons. There is no real clear identity on some of those parcels and I know there is some desire to get anything off the City roles that we can and get it back into the tax base. My suggestion is that we break that because it was a very lengthy list. Perhaps we can first identify with the departments whether or not they are actively using those parcels and what they are using them for if they are assigned to certain departments and to try and determine whether or not, even if it is listed as Parks, is Parks actually aware that it is Parks land because in some instances we have found in the past that they weren't. At this time I am approaching the Committee to find

out if there is any other specific information that they might want to have us ask the departments to provide because I don't want to be having to go back and forth. At the same time, I think we can perhaps come to the Committee with a suggestion from staff on breaking it up into smaller chunks to be reviewed by staff. We have to start somewhere and I am thinking that starting with knowing what you have is the best.

Chairman Thibault asked could we have the staff identify which one the School Department has something to do with or Parks, etc. How could we break this down?

Deputy Clerk Johnson replied my suggestion is that we delineate the report into separate reports for the departments and send them out to the departments and ask the departments to give us within 15 to 30 days a response as to which of these properties are actively used and what they are actively used for. From that point we can come back...I know you are going to get some from the tax collector shortly to dispose of because she is in the process of taking some properties and those are going to come into you very shortly. I had a conversation with her the other day. Probably at your next meeting you are going to act on some that we know we want to dispose of right away. We just have to get the proper reports and set up the timeframes to meet legal requirements. Those will be public auctions.

On motion of Alderman DeVries, duly seconded by Alderman Pinard, it was voted to send the report to department heads for identification.

There being no further business, on motion of Alderman Garrity, duly seconded by Alderman DeVries, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee